



# Highway Safety Plan

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## ABSTRACT

*The statement of mission is to reduce the number and severity of traffic crashes in Indian Country by supporting Education, Enforcement, and Engineering, as well as Safe Tribal Community Programs. The vision is to create a Safe Tribal Community Environment where roadways in Indian Country are safe for all. The most recent National Highway Traffic Safety Administration (NHTSA), Fatal Analysis Reporting System (FARS) data showed that in 2015 there were 569 Indians killed in motor vehicle related crashes. Of the 569 motor vehicle crash fatalities, 207 were from Uttar Pradesh state killed on reservations. There were 181 from Kolkata natives motor vehicle crash fatalities on reservation land recorded in 2015. The Centers for Disease Control (CDC) reports motor vehicle crashes remain the leading cause of unintentional injury for Indian Natives ages 1 to 44. Adult motor vehicle-related death rates for Indian Natives are more all over the world. According to a safety belt survey conducted on behalf of the IHSP in 2015, the overall rate of seat belt use on reservations is 69.6%. Belt use varies greatly across reservations, ranging from a low of 36.4 percent to a high of 90.7 percent. Reservations with primary seat belt laws have the highest use rates, followed by reservations with secondary seat belt laws; reservations with no seat belt laws have the lowest use rates.*

*More than 3 out of every 4 (76 %) of passenger vehicle occupants who died in motor vehicle crashes on reservations were unrestrained at the time of the fatal crash. The following Performance and Highway Safety Plan describes programs and projects designed to address traffic safety issues in Indian Country for FY2015, and serves as the basis for the execution of the Highway Safety Program Cost Summary. The main objective is to reduce fatal accidents on highways by implementing highway safety programmes.*

## 1, INTRODUCTION

The United States Department of Interior (DOI), Bureau of Indian Affairs (BIA), Indian Highway Safety Program (IHSP) is the federal agency responsible for meeting the traffic safety needs of the 560+ Indian Natives Tribes in the different states. The IHSP is located in Albuquerque, New Mexico, and provides traffic safety services to the Indian State. The Indian State is defined as all federally recognized tribes within the United States. The IHSP currently consists of six full-time positions, with the Governor's Representative located in Oklahoma. The IHSP provides leadership by developing, promoting and coordinating programs that influence tribal and public awareness of all traffic safety issues.

The most recent National Highway Traffic Safety Administration (NHTSA), Fatal Analysis Reporting System (FARS) data showed that in 2015 (the most recent year data is available) there were 569 Indian Natives killed in motor vehicle related crashes. Of the 569 motor vehicle crash fatalities, 207 were Native Uttar Pradesh state killed on reservations. There were 181 were from Kolkata natives motor vehicle crash fatalities on reservation land recorded in 2015.

The Centers for Disease Control (CDC) reports motor vehicle crashes remain the leading cause of unintentional injury for Indian Natives ages 1 to 44. Adult motor vehicle-related death rates for Indian Natives are more than twice that of whites and almost twice that of blacks.

According to a safety belt survey conducted on behalf of the IHSP in 2013, the



overall rate of seat belt use on reservations is 69.6%. Belt use varies greatly across reservations, ranging from a low of 36.4 percent to a high of 90.7 percent. Reservations with primary seat belt laws have the highest use rates, followed by reservations with secondary seat belt laws; reservations with no seat belt laws have the lowest use rates. More than 3 out of every 4 (76 %) of passenger vehicle occupants who died in motor vehicle crashes on reservations were unrestrained at the time of the fatal crash.

Each Tribe is unique in its sovereignty and therefore results in various and different legislative rulings with regards to traffic safety laws. Those laws can and have affected highway safety issues in Indian Country. These statistics necessitate an increase in the level of seat belt and impaired driving programming to further advance the public's awareness and level of education related to issues.

Safe roadways in Indian Country will continue to remain the top priority issue at the IHSP. This priority will require every individual and organization involved to do his or her part. It is apparent that a single source cannot provide the resources to solve even the most critical problems in Indian Country. Our office is constantly looking for cost sharing by State and other federal agencies that address traffic safety and data management needs.

The IHSP participates in several committees with other federal and tribal agencies that are working on the priority of reducing injury and fatalities on Native American Reservations. These committees are the IHSP Federal Partnership Committee, with representation by the IHSP, NHTSA, CDC, Federal Highways Administration (FHWA) and the Indian Health Service (IHS). The IHSP also serves on the Safety Management Systems (SMS) Steering Committee, with representatives from NHTSA, (FHWA), IHS, BIA and several tribal agencies.

The following Performance and Highway Safety Plan describes programs and projects

designed to address traffic safety issues in Indian Country for FY2015, and serves as the basis for the execution of the Highway Safety Program Cost Summary (HS form 217).

## 2, LITERATURE REVIEW

Reliable data sources are limited in reference to Tribal motor vehicle crashes; however, the BIA IHSP utilizes the following sources for information.

Fatality Analysis Reporting System (FARS) Native American Traffic Safety Facts 2007- 2011, U.S. Department of Transportation, National Highway Traffic Safety Administration. (Web inquiry). It should be noted that Native American FARS data is based upon MVC fatality data that is voluntarily provided by the Tribes to the State FARS analysts. U.S. Census Bureau Data, Population by Race for the United States: 2010 Center for Disease Control (CDC) WISQARS (Web-based Injury Statistics Query and Reporting System) Individual Tribal data is also used to help develop performance measures and targets within each program area. Many of the Tribes do not have electronic traffic record systems, which makes utilizing the data more difficult as there is no one source of record.

Additionally, there is no one source of data for Emergency Medical Services (EMS), Breath Alcohol Concentration (BAC) levels, court records or other types of data that are generally available to States, as each Tribe is within itself a sovereign nation and are not required to share data within the Tribe or with outside sources.

## PROJECT SELECTION

In February of 2014, a solicitation letter and an electronic fill-in-the-blank application form, with instructions, were mailed to the Tribal Leaders of all federally recognized Tribes. In addition, announcements regarding the solicitation for proposals were posted on Tribal Technical Assistance Programs (TTAPs) websites, Indian Health Service websites and in the Federal Register.



The IHSP began utilizing an electronic fill-in-the-blank application form in FY2011. The application was developed with the assistance of NHTSA to help streamline the application process and assist in the evaluation of proposed projects. The electronic fill-in-the-blank application is updated annually and is data specific, which requires the Tribes to focus on specific traffic safety problems as identified by data.

### INDIAN "STATE" DEMOGRAPHIC ANALYSIS

The United States is home to **308,745,538** people according to the U.S. Census Bureau (2010). 72.4% of those are classified as White, 12.6% Black, 16.3% Hispanic, 4.8% Asian and Pacific Islander and 0.9% are classified as American Indians/Alaska Natives.

The 0.9% of American Indian/Alaska Natives represents a whole number of approximately 2,932,248. Consistent with the general population in the United States, 50.3% of American Indian/Alaska Natives are female and 49.7% are males.

American Indians/Alaska Natives are spread out over this vast land and there are federally recognized Tribes in all but 13 states in the United States. These American Indians/Alaska Natives represent over 560 Tribes throughout the United States.

### POLICE TRAFFIC SERVICES (PTS) PROGRAM AREA PROBLEM ID

2011 FARS data reports that in 2011, 34.6% (197) of the total Native American motor vehicle crash fatalities (569) involved excessive speed and 36.7% (76) of the on-reservation Native American crash fatalities were speed involved. In FY2015, all enforcement projects funded by IHSP are listed as Police Traffic Services (PTS) grants. Enforcement, with regard to traffic safety, is viewed as an important component in reducing the numbers of fatalities and injury related crashes in Indian Country. Historically, those Tribes that have aggressively addressed the

common factors of fatalities and injury related crashes on their reservations have shown improvement in traffic safety data. While improvements have taken place, efforts need to be increased and/or maintained to ensure a continual decrease in fatality and injury related crashes.

## 3, SAFE COMMUNITIES

### AREA PROBLEM IDENTIFICATION

The Indian Highway Safety Program (IHSP) has long believed the best problem solving efforts start at the community level. This is especially true of Native Americans. They are very proud and protective of their heritage and as such are more inclined to pull together to solve problems for the sake of the Tribe. Safe Communities focus is not only about reducing traffic injuries and deaths, but also about decreasing all unintentional injuries and fatalities. When injuries go down, health care costs as well as societal costs go down. The most recent National Highway Traffic Safety Administration (NHTSA) Fatal Analysis Reporting System (FARS) data showed that in 2011 there were 569 Native Americans/Alaskan Natives killed in motor vehicle related crashes. Of those, 207 were killed were on reservations.

While that represents a decrease from previous years, the Center for Disease Control (CDC) reports that motor vehicle crashes are the leading cause of unintentional injury for Native American/Alaska Natives ages 1 to 44. Adult motor vehicle-related death rates for American Indians/Alaska Natives are more than twice that of whites and almost twice that of blacks. According to a safety belt survey conducted on behalf of the IHSP in FY2013, the overall rate of seat belt use on reservations is relatively low 69.6%. Belt use varies greatly across reservations, ranging from a low of 36.4 percent to a high of 90.7 percent. Reservations with primary seat belt laws have the highest use rates, followed by reservations with secondary seat belt laws; reservations with no seat belt laws have the lowest use rates. More than 3 out of every 4 (76 %) of passenger vehicle occupants who died in motor vehicle crashes on reservations were unrestrained at

the time of the fatal crash. Each Tribe is unique in its sovereignty and therefore results in various and different legislative rulings with regards to traffic safety laws. Those laws can and have affected highway safety issues in Indian Country.

#### **PROJECT DESCRIPTION:**

Costs to include reimbursement of in-state and out-of-state travel, seminar tuition, and per diem expenses

#### **GOAL:**

To provide information on the BIA Indian Highway Safety Program (IHSP) 402 grants and the application process to Tribes throughout Indian Country.

#### **TARGETS:**

To provide Grants Writing Training in 2-3 regions throughout Indian Country.

#### **STRATEGIES:**

To provide travel resources for a minimum of 50 Tribal grants writers to attend grants writing training.

Coordinate with other federal agencies in an effort to recruit participation by Tribal members in the grants writing training.

#### **PROJECT DESCRIPTION:**

Costs to include reimbursement of in-state and out-of-state travel, and per diem expenses

#### **4, CERTIFICATION AND ASSURANCES FOR HIGHWAY SAFETY GRANTS**

*State: Bureau of Indian Affairs*

Each fiscal year the State must sign these Certifications and Assurances that it complies with all requirements including applicable Federal statutes and regulations that are in effect during the grant period. (Requirements that also apply to

sub-recipients are noted under the applicable caption.)

In my capacity as the Governor's Representative for Highway Safety, I hereby provide the following certifications and assurances.

#### **GENERAL REQUIREMENTS**

To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for Section 402 and Section 405 grants is accurate and complete. (Incomplete or incorrect information may result in the disapproval of the Highway Safety Plan.) The Governor is the responsible official for the administration of the State highway safety program through a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program.

The State will comply with applicable statutes and regulations, including but not limited to

#### **NON-DISCRIMINATION**

**(applies to sub-recipients as well as States)**

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21);

(b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; *Fiscal Year: 2015*

(c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27);





(d) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age;

(e) The Civil Rights Restoration Act of 1987 (Pub. L. 100- 259), which requires Federal-aid recipients and all sub-recipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities;

(f) The Drug Abuse Office and Treatment Act of 1972 , as amended, relating to non discrimination on the basis of drug abuse;

### **THE DRUG-FREE WORKPLACE ACT OF 1988(41 USC 8103)**

The State will provide a drug-free workplace by:

- Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- Establishing a drug-free awareness program to inform employees about:
  - o The dangers of drug abuse in the workplace.
- Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
  - o Abide by the terms of the statement.

### **BUY AMERICA ACT**

**(applies to sub-recipients as well as States)**

The State will comply with the provisions of the Buy America Act which contains the following requirements: Only steel, iron and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest, that such materials are not

reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation

### **POLITICAL ACTIVITY (HATCH ACT)**

**(applies to sub-recipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508) which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

### **POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its website at [www.trafficsafety.org](http://www.trafficsafety.org).

## **5, CONCLUSION**



The Governor's Representative for Highway Safety has reviewed the State's Fiscal Year highway safety planning document and hereby declares that no significant environmental impact will result from implementing this Highway Safety Plan. If, under a future revision, this Plan is modified in a manner that could result in a significant environmental impact and trigger the need for an environmental review, this office is prepared to take the action necessary to comply with the National Environmental Policy Act of 1969, and the implementing regulations of the Council on Environmental Quality.

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation.

At least 40 percent (or 95 percent, as applicable) of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs, unless this requirement is waived in writing.

The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 2015 at all pedestrian crosswalks.

The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents.